



PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/644,106
	Filing Date	August 20, 2003
	First Named Inventor	Gijsbers et al.
	Art Unit	3763
	Examiner Name	(TBA)
Total Number of Pages in This Submission	Attorney Docket Number	11738.00120

ENCLOSURES (check all that apply)					
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Exp MI #EL941344756US PTO/SB/08a form, Return Receipt Post Card			
<table border="1"><tr><td>Remarks</td><td rowspan="2">Please charge any additional fees or credit overpayment to Deposit Account No. 19-0733. A duplicate copy of this sheet is enclosed</td></tr><tr><td></td></tr></table>			Remarks	Please charge any additional fees or credit overpayment to Deposit Account No. 19-0733. A duplicate copy of this sheet is enclosed	
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Banner & Witcoff, Ltd 10 S. Wacker Drive, Suite 3000 Chicago, IL 60606 Robert H. Resis (Reg. No. 32,168)
Signature	
Date	November 24, 2003

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	_____		
Signature	_____	Date	_____

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 11738.0120)

In re Application of:)	
)	
Gijsbers et al.)	
)	
Serial No.: 10/644,106)	Group Art Unit: 3763
)	
)	
Filed: August 20, 2003)	
)	Examiner (TBA)
)	
For: Brain Fluid Ion Concentration)	
Modification for Treating Neurological)	
Disorders)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §§1.97 and 1.98, applicants wish to make the following references of record in the above-identified application. These references may be material to the patentability of the presently pending claims. These references were cited in application Serial No. 10/174,257 and a copy of the cited references can be obtained from this prior application, upon which priority is claimed in the present CIP application. However, we will provide the references upon Examiner's request. We have also enclosed a completed copy of the PTO/SB/08a form.

U.S. Patent Documents

<u>Patent Number</u>	<u>Inventor</u>	<u>Issue Date</u>
1. 4,378,797	Osterholm	04-05-83
Banner & Witcoff, Ltd.	1	
Ten South Wacker Drive, Ste. 3000		
Chicago, IL 60606		
312-463-5000		

U.S. Patent Documents

	<u>Patent Number</u>	<u>Inventor</u>	<u>Issue Date</u>
2.	4,393,863	Osterholm	007-19-83
3.	4,445,500	Osterholm	05-01-84
4.	4,445,514	Osterholm	05-01-84
5.	4,445,886	Osterholm	05-01-84
6.	4,445,887	Osterholm	05-01-84
7.	4,445,888	Osterholm	05-01-84
8.	4,446,154	Osterholm	05-01-84
9.	4,446,155	Osterholm	05-01-84
10.	4,450,841	Osterholm	05-29-84
11.	4,451,251	Osterholm	05-29-84
12.	4,657,532	Osterholm	04-14-87
13.	4,686,085	Osterholm	08-11-87
14.	4,758,431	Osterholm	07-19-88
15.	4,795,423	Osterholm	01-03-89
16.	4,830,849	Osterholm	05-16-89
17.	4,840,617	Osterholm	06-20-89
18.	4,963,130	Osterholm	10-16-90
19.	4,981,691	Osterholm	01-01-91
20.	5,085,630	Osterholm	02-04-92
21.	5,711,316	Osterholm	01-27-98
22.	5,832,932	Elsberry et al.	11-10-98
23.	5,980,480	Rubenstein	11-09-99
24.	6,264,625	Osterholm	07-24-01
25.	2003/0004495	Saul	01-02-2003

Foreign Patent Documents

	<u>Patent Number</u>	<u>Name of Patent or Applicant</u>	<u>Issue Date</u>
1.	WO 97/40871 A1	Medtronic, Inc	11-06-97
2.	WO 98/02202	CSFluids, Inc.	01-22-98

In accordance with MPEP §§ 609 and 707.05(b), it is requested that the documents cited be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing by the Examiner on Form PTO/SB/08a, so that it will appear on the face of the patent issuing on the present application.

The present Disclosure Statement is being submitted in compliance with 37 C.F.R. 1.56 as an Examiner might consider the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of such documents is not to be construed as an admission that such documents are necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner in the normal course of examination, will make an independent search and will determine the best prior art, and in the course of such search, will review for relevance the documents cited on the attached form even if not initialed.

The accompanying Information Disclosure Statement is being filed within three months of the U.S. filing date or before the mailing date of a first Office Action on the merits. No certification or fee is required.

Early and favorable consideration is earnestly solicited.

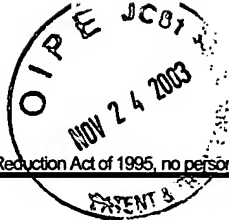
Respectfully submitted,

Date: November 24, 2003

By:



Robert H. Resis
Registration No. 32,168



PTO/SB/08a (05-03)

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/644,106
Filing Date	August 20, 2003
First Named Inventor	Gijsbers et al.
Art Unit	3763
Examiner Name	(TBA)
Attorney Docket Number	11738.00120

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		4,378,797	04-05-83	Osterholm	
		4,393,863	07-19-83	Osterholm	
		4,445,500	05-01-84	Osterholm	
		4,445,514	05-01-84	Osterholm	
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		4,758,431	07-19-88	Osterholm	
		4,795,423	01-03-89	Osterholm	
		4,830,849	05-16-89	Osterholm	
		4,840,617	06-20-89	Osterholm	
		4,963,130	10-16-90	Osterholm	
		4,981,691	01-01-91	Osterholm	
		5,085,630	02-04-92	Osterholm	
		5,711,316	01-27-98	Osterholm	
		5,832,932	11-10-98	Elsberry et al.	
		5,980,480	11-09-99	Rubenstein	
		6,264,625	07-24-01	Osterholm	
		2003/0004495	01-02-2003	Saul	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		WO 97/40871 A1	11-06-97	Medtronic, Inc		
		WO 98/02202	01-22-98	CSFluids, Inc.		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**CERTIFICATE OF MAILING
(PATENT)**

Express Mail No. EL941344756US

Deposited November 24, 2003

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: _____

Patent Application of:	Gijsbers et al.
Title:	Brain Fluid Ion Concentration Modification For Treating Neurological Disorders
Serial No.	10/644,106
Attorney Docket No.	11738.00120

- ☒ Transmittal Form, in duplicate
- ☒ Supplemental Information Disclosure Statement
- ☒ PTO/SB/08A form
- ☒ Return Receipt Postcard